

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

DAVID LITTLE,

Plaintiff,

v.

CAROLYN COLVIN,
ACTING COMMISSIONER OF SOCIAL SECURITY,
Defendant.

CIVIL ACTION NO. 6:15-cv-00011

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the parties' cross Motions for Summary Judgment (docket nos. 12 and 14), and the Report & Recommendation of United States Magistrate Judge Robert S. Ballou (docket no. 17, hereinafter "Report"). Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for proposed findings of fact and a recommended disposition. The parties filed cross motions for summary judgment, and on August 2, 2016, Judge Ballou filed a Report recommending that Plaintiff's Motion for Summary Judgment (docket no. 12) be granted in part, and the Commissioner's Motion for Summary Judgment (docket no. 14) be denied. After a review of the record in this case, and no objections having been filed to the Report within fourteen days of its service upon the parties, I adopt the Report in its entirety.

Accordingly:

1. The Report of August 2, 2016, is hereby **ADOPTED** in its entirety;

2. Plaintiff's Motion for Summary Judgment (docket no. 12) is hereby **GRANTED IN PART**;
3. Defendant's Motion for Summary Judgment (docket no. 14) is hereby **DENIED**;
and
4. This case is hereby **REMANDED** to Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the Report.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so ORDERED.

Entered this 23rd day of August, 2016.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE